

### REMARKS

In the Office Action dated April 21, 2006, the Specification was objected to; claims 22-30 were rejected under 35 U.S.C. § 101; claims 1-3, 14-16, and 22-25 were rejected under § 102 over U.S. Patent No. 6,829,600 (Gu); claims 4, 17, and 26 were rejected under § 103 over Gu in view of B. Walter, "Nested Transactions with Multiple Commit Points: An Approach to the Structuring of Advanced Database Applications," (Walter); claims 5, 18, and 19 were rejected under § 103 over Gu in view of Walter and U.S. Patent No. 6,714,938 (Avadhanam); claims 6, 7, and 27 were rejected under § 103 over Gu in view of Avadhanam; claims 8-12, 20, 21, and 28-30 were rejected under § 103 over Gu in view of "Lesson on Order of Operations with Exponents," (MathGoodies); and claim 13 was rejected under § 103 over Gu in view of Walter and "Introduction to Algebra," (MathLeague).

The Specification has been amended to address the objection.

Independent claim 22 has been amended to address the § 101 rejection.

Claim 1 has been amended to incorporate the subject matter of dependent claim 13 (now cancelled). The subject matter of claim 13 was rejected as being obvious over Gu, Walter, and MathLeague. The Office Action conceded that Gu fails to disclose establishing multiple sessions with the database system where each session is associated with at least one transaction; identifying transactions that operate on the same set of one or more tuples; and re-allocating transactions between or among the sessions such that the identified transactions that operate on the same set of one or more tuples is allocated to one of the sessions. 4/21/2006 Office Action at 15. The Office Action relied upon Walter as disclosing the establishment of multiple sessions with a database system. *Id.* (citing to page 168, ¶ C, of Walter). For the acts of identifying transactions that operate on the same set of one or more tuples and re-allocating transactions between or among the sessions such that the identified transactions that operate on the same set of one or more tuples are allocated to one of the sessions, the Office Action relied upon MathLeague. *Id.* at 15-16.

With respect to MathLeague, the Office Action focused specifically on the algebraic technique of simplifying equations by multiplying both sides of an equation by the same value. Multiplying both sides of the equation by the same value to simplify or otherwise modify an equation has nothing to do with the subject matter recited in claim 1, namely identifying

*transactions* that operate on the same set of one or more tuples, and re-allocating transactions between or among sessions with a database system such that the identified transactions that operate on the same set of one or more tuples is allocated to one of the sessions. The MathLeague reference is a reference entitled "Introduction to Algebra." This reference is a relatively basic reference that introduces various algebraic concepts. The concepts relating to algebra described in MathLeague have nothing to do with sessions established with a database system and identifying and re-allocating transactions among such sessions with the database system.

Since the hypothetical combination of Gu, Walter, and MathLeague does not teach or suggest all elements of claim 1, it is respectfully submitted that a *prima facie* case of obviousness has not been established with respect to the subject matter of claim 1.

Moreover, there simply did not exist any motivation or suggestion to combine the teachings of Gu, Walter, and MathLeague. Gu describes an SQL MERGE statement in which conditional INSERT and UPDATE commands are combined such that the UPDATE command is executed if a condition is satisfied, but the INSERT command is executed if the condition is not satisfied. *See* Gu, 1:28-67. Walter, on the other hand, describes on page 168 "commit spheres" that control how transactions can commit. MathLeague describes various algebraic techniques, including the technique of simplifying equations, which have nothing to do with either the MERGE statement of Gu or the commit spheres for transactions described in Walter. Also, there exists no suggestion of any desirability to incorporate the commit techniques described in Walter into the Gu system that uses a MERGE statement.

Thus, what appears to have been performed is an arbitrary selection of completely unrelated elements from disparate prior art references in an attempt to piece together such unrelated elements to achieve the claimed subject matter. Such a rejection is based on impermissible hindsight, which is strictly prohibited. Therefore, it is respectfully submitted that a *prima facie* case of obviousness has not been established with respect to claim 1 for the additional reason that no motivation or suggestion existed to combine the teachings of Gu, Walter, and MathLeague.

Amended independent claim 22 is similarly allowable over the cited references.

Independent claim 14 has been amended to recite identifying statements in a first transaction that specify modification operations on values  $b_1$  through  $b_m$ , where  $m > 1$ , that are commutative and associative. Each of the modification operations is applied on a set of one or more tuples. Moreover, claim 14 recites combining the identified statements into one statement that specifies a modification operation on a value  $c$  that is an aggregation of  $b_1$  through  $b_m$ , where the aggregation is one of addition and multiplication. The subject matter added to claim 14 is similar to (but not the same as) the subject matter of former dependent claim 21. Claim 21 was rejected as being obvious over Gu and MathLeague.

Claim 21 was rejected for "the same reasons" as for claim 11 or 12. 4/21/2006 Office Action at 14. Claims 11 and 12 depend from claim 10. In the rejection of claim 10, MathGoodies was cited as disclosing the added subject matter of claim 10. Specifically, the Office Action pointed to page 2, Example 3, of MathGoodies, which refers to simplifying operations in arithmetic expressions involving numbers. However, simplifying arithmetic expressions, as taught by MathGoodies, has nothing to do with identifying statements that operate on a set of one or more tuples for the purpose of combining the identified statements into a single statement that specifies a modification operation on a value  $c$  that is an aggregation of values of modification operations in the identified statements.

Therefore, the hypothetical combination of Gu and MathGoodies clearly does not teach or suggest the subject matter of claim 14. A *prima facie* case of obviousness can therefore not be established with respect to claim 14 for at least this reason.

Moreover, there did not exist any motivation or suggestion to combine the teachings of Gu and MathGoodies. As noted above, Gu relates to a MERGE statement for merging an UPDATE command, and an INSERT command, where one of the UPDATE and INSERT commands is executed based on whether or not a condition is satisfied. There is absolutely no suggestion of any desirability to incorporate the arithmetic expression simplification technique reflected in Example 3 on page 2 of MathGoodies into the MERGE statement of Gu. Therefore, a *prima facie* case of obviousness cannot be established with respect to claim 14 for the additional reason that no motivation or suggestion existed to combine Gu and MathGoodies.


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Dependent claims are allowable for at least the same reasons as corresponding independent claims. Moreover, in view of the amendments of the independent claims, it is respectfully submitted that the obviousness rejections of the dependent claims have been rendered moot.

Allowance of all claims is respectfully requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 14-0225 (11284).

Respectfully submitted,

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